

Tolstoy's Story

"Resurrection," His Latest, Is a Masterpiece.

Leo Tolstoy's latest production is "Resurrection," Tolstoy is a master. His latest story is a masterpiece. It is not becoming literature for a child or a young man or woman, but it is a gold mine to any one who, in the course of arriving at a stage of matured maturity, has stopped as a target for a good many of outrageous fortune's slings and arrows.

The difference between literature and literary effort is the difference between beef-steak and syllabus. The syllabus refreshes at the moment, but before the next meal time you have a keener recollection of the beefsteak. Tolstoy's "Resurrection" is literature. His people live. A lamentable number of ink-wrought people do not.

In "Resurrection" you meet the principal character of the book as a man; having met him and followed him for a few chapters, you know him forever. He suggests no other character you have ever met. He is as distinct and infallibly individual as every one of your friends in flesh and blood.

It is interesting to study how Tolstoy stamps this character upon the printed page before you, with what little description, but with bold, brief characteristic utterances or actions.

This is his story, and it no more plunders the work of its richness to relate an outline of it than it harms Hamlet to read it before seeing it. Nekhliudoff is a young Russian Prince, who early falls in love with a girl named Maslova, who is an illegitimate daughter of one of the peasants. The girl is not entrancingly, but is singularly attractive. Her name is Maslova. The boy and girl fall into "puppy" love, the purest and most heavenly here below. The boy goes away, becomes military, and to a degree morally lax. He makes a visit, on the way to a campaign, to his aunt. He finds there Maslova, a young woman. He seduces her. She is dismissed thereafter from his mind. He becomes in time a man of immense leisure and luxury, a "catch" in aristocratic circles. He is drawn as a juror in a criminal court. And there he meets Maslova, the woman he had ruined many years before. She is a courtesan, one of long dissipation. She is charged with poisoning a man while he is in the debauch. The court scenes are depicted with marvelous power. She does not see Nekhliudoff. She is not guilty. "The jury, because of her attractiveness, wanted to acquit her, but, bringing in a baneful verdict which condemned her and leads to a sentence of penal servitude in Siberia."

"What's the use of recalling what's past?" she remarked drily. "I am recalling it in order to put it right, to atone for my sin. Maslova and he was going to say that he would marry her, but, meeting her eyes, he read in them something so dreadful, so coarse, so repulsive, that he could not go on."

At that moment the visitors began to go. The inspector came up to Nekhliudoff and said that the time was up. "Good-by; I have still much to say to you, but you see it is impossible to do so now," said Nekhliudoff, and held out his hand. "I shall come again."

"I think you have said all." "The look on his hand but did not press it. "No, I shall try to see you again, somewhere where we can talk, and then I shall tell you what I have to say—something very important."

"Well, then, come; why not?" she answered, and smiled with that habitual, inviting and promising smile which she gave to the men whom she wished to please. "You are more than a sister to me," said Nekhliudoff. "That's odd," she said again, and went behind the grating.

It would take a long search to find a more striking, morally helpful book for adults than "Resurrection." But aside from its lesson, it is as literature, readable. We have given only the motive of the story. The story itself covers 90 pages. The only authorized translation of "Resurrection" is published by Dodd, Mead and Company and may be obtained in Wichita at the Goldsmith Book and Stationery Company.

MUSIC AND DRAMA. A POOR RELATION. Every individual points to a large advance sale of assets for what is a notable event of the present season, the performance of Sol Smith Russell's delightful play "A Poor Relation," that has undoubtedly brushed away with its comedy more tears than its pathos has caused than any play ever written. It is full of humorous lines and situations that ingeniously and irresistibly compel alternate laughter and tears. The scene of the breakfast in act first, the pathetic squalor of act second, with its silver lining of sad drollery (for even such a paradox is the incident of the barrel and the sewing of poor little Rip's suspenders) and the dolorous and satirical of Noah Vale, his little songs to make the children forget that they are hungry, Scollaps and the children all make up an exceptionally appealing and effective ensemble. "A Poor Relation" comes to the Crawford next Monday and Tuesday evenings, March 26 and 27.

Wichita Colleges

Universities and Academies

FAIRMOUNT COLLEGE NOTES. The spring term's work began Wednesday morning. Nearly all of the old and several new students enrolled.

A few of the out-of-town students spent the early part of the week at home. Among those was Adeline Finn, Grace Doty, Muriel Finn, Frances Doty, Minnie Hall and Harold Morrison of Sedgewick; Nina Miller and C. H. Lockwood, Anthony; M. D. Ross, Caldwell; Walter Herrick, Wellington. Professor Cooley also spent several days recently at Wellington.

Roy Campbell of last year's Freshman class has again entered college. Mr. Campbell has been teaching near Anthony in Harper county.

Virginia Michaels of Haven is another old student who has returned to continue the work begun last year. Holyoke Cottage is in receipt of a very handsome parlor chair, the gift of Mesdames Purdie, Oldham, Sluss and Woodford.

A recent issue of the American Journal of Archaeology contains an interesting article entitled "Athens Polios on the Acropolis of Athens." The author is our professor of Greek, Arthur Stoddard Cooley. The article has a number of illustrations and drawings and is full of information and Greek text proving that certain ancient remains still standing on the acropolis are the foundations of a famous old temple of old goddess, Dr. Cooley has been working on this problem for several years. As a result of his research he concludes that the view of this question advanced by Dr. Doerpfeld, head of the German Archaeological Institute in Athens, are more probable than the traditional theory. Among the contributions of this paper is a new theory of the route of the traveler Pansias as among the buildings on the Acropolis at his visit about 400 B. C. which has been accepted by Dr. Doerpfeld in preference to his own formerly held.

The library received several excellent sets of books this past week. The first was the complete set of the International Education Series, consisting of forty-seven volumes, and is for the use of the department of education. This series brings together in orderly arrangement the best writings, new and old, upon educational subjects, and presents a complete course of reading and training for teachers generally. It is edited by W. T. Harris, United States commissioner of education and is published by D. Appleton & Co.

Another set received from Appleton's is the "Universal Cyclopaedia," in twelve morocco bound volumes. This is the latest in cyclopaedia editions and is considered as one of the best authorities. The library also received Taine's "History of English Literature," bound in four volumes. The elocutionary and musical recital given by Fairmount students at Plymouth church was well received. The proceeds of this entertainment will be used in the purchase of large wall maps of the leading countries of Europe.

The following program was given by Soras at its regular meeting yesterday: Roll Call; Anecdote of Italian artists; Piano solo—Minnie Babl; Italian Masterpieces—Adeline Harding; Recitations—Mabel Millison; Glimpses of Home Life of Italian Renaissance Masters—Vera Craft; Story, Chapter IV—Mabel Nickerson; Reading—Mollie Egan; Quartette—Misses Sewall, Miller, Baker and Houston.

FRIENDS' UNIVERSITY. School closes Thursday of this week for the annual spring vacation, which will continue until Tuesday of the following week.

Several valuable books have been added to the library during the past week. Rev. F. W. Dodge Avenue Methodist church gave the students a very instructive talk at chapel one morning last week. Several of the students, under the direction of Mrs. Eliza Carey, superintendent of evangelistic work in Kansas Yearly Meeting of Friends, have been holding revival services at the O. K. school house, four miles northward of the city. The meetings are still in progress and good results are reported.

The students from Haviland, Kansas, were very pleasantly entertained Tuesday evening by Miss Flora Wilson in honor of Mr. Whitlow, who has now returned to his home at Haviland. There was considerable discussion Friday as to whether the student ought not to have a "trolley party" in honor of the new street car which has been put on this line. Every one is delighted with the great improvement in the car service, even on the old track.

The Bible study classes organized among the young women are growing, and great interest is being taken in them. The Mentor avenue girls hold their meetings alternately at North hall and at Mrs. Pyle's. The Davis Lyceum inaugurated officers Friday evening, as follows: President, Arthur Jones; vice president, Clara Updegraff; secretary, Myrtle Biege; treasurer, Alva McDaniell; critic, Harry Brown; marshal, E. J. Thompson; chorister, Bessie Moore; librarian, Mary Kirk; Misses Bell and Katherine Davis left Friday for a few days' visit at their home near Coldwater.

The meeting of the Christian associations this afternoon at 4 o'clock will be of special interest and an invitation to attend is given to all. The Rev. Chester Manning, a returned missionary, will speak on the subjects of missions. The students and faculty are all looking forward with pleasure to the lecture by James E. Ament, president of the Northwestern Normal school at Alva, O. T. which will be delivered at Russell hall Friday evening, April 6. His subject will be "The Second Renaissance."

A number of the faculty and students attended the farewell reception tendered Mr. James Allison and wife last night at the Dodge Avenue M. E. church. The university will miss Mr. Allison's kind support and encouraging words, but it feels that it will have a representative at the great exposition in this worthy man who has been chosen to represent there the American people. Friends universally wish him and his excellent wife a pleasant tour and a safe return.

LEWIS ACADEMY NOTES. The Athletic association, which practically means the entire school, has been in a state of intense expectancy during the past week, but were finally rejoiced late Friday evening by the arrival of most of the apparatus for the gymnasium. The work of putting it began yesterday. The faculty will now have their hands full endeavoring to keep those students anxious to try the new equipment to any regular work in their studies. The following is the list of apparatus received from Spaulding Bros., Chicago, which has been put up: A rowing machine, \$5, for sculling and regular boat work. This is the only rowing machine in this part of the state and will prove a most attractive exercise for all. Parallel bars, \$5, which are of the regulation size; 2 sets of quoits; 1 set of fencing foils and masks, 3 pairs 1 1/2 lb. Indian clubs, 2 1/2 x 4 foot mats, \$15; 2 celling ladders, and a Moline platform and punch bag. The jumping machine, wands and other equipments, will arrive soon.

Through the courtesy of Bishop Vincent and the Southwest Kansas conference, Professor H. B. Scott was ordained elder in the Methodist Episcopal church last Sabbath. He is accredited with the four full years' course of study, and can now preach, teach or perform marriage ceremonies, as occasion may require.

The Seniors are planning to give their annual reception to the Juniors and faculty. It is rumored that the event will occur in the very near future.

Miss Jeyll reports increased enrollment for work in the art department. The studio, during the two days of the week on which it is open, presents a busy scene, the time being fully occupied with students engaged in painting, drawing, water-color and china decoration. Some particularly fine work in the latter is being done by Mrs. John Bryan, a very proficient student of this branch of art.

Reviews of all the studies in the several departments have begun, preparatory for the end of the term examinations which will come at the close of next week. Museumian Bros. have donated to the Girls' Glee club Anderson's Physical Exercises, a book of instructions illustrating various exercises, but especially showing the use of the Whitney exerciser, the latest addition to the equipments of the club.

Rev. Brown of Conway Springs made a tour of the various departments of the school, Tuesday and Wednesday. The Sunday school board of the Methodist Sunday school last week elected Professor Scott to take charge of the normal training class in the big Sunday school for the coming year, and he has accepted the position which has been offered him.

Master Oscar Bizantz favored the school by the rendition of a very fine violin solo in the Thursday morning recital. The school always expects something good from this young gentleman and is never disappointed when he appears on the program.

Miss May Dobbins, a former student of the academy, visited her friends at the school Thursday. Miss Dobbins has recently returned from an extended and very pleasant trip through the western states.

Mrs. E. L. Neal of Whitewater visited her daughters, the Misses Lillian and Alice De Talente, at the school Thursday.

Miss Margaret Schaffner, formerly teacher of French and German in the academy, called on her friends at the school Thursday. Miss Schaffner is in the city on business for a publishing house with which she is at present connected.

Miss Tracy was present at rhetorical Thursday morning. Miss Haviland of this city enrolled last week.

SICKNER CONSERVATORY NOTES. A happy surprise awaited the pupils of the Conservatory when they assembled for the general recital Friday afternoon. Two new Bradbury pianos, the largest size concert grand upright, in elegant cases, were in place ready for the use of the school. The rich, mellow tones drawn from these superior instruments gave universal delight to all who heard them. Prof. Sickner is to be congratulated in securing such a fine addition to his already well equipped school.

Frequently the faculty are called on to drill some pupil from a distance in a special selection for contest or extra occasion. Recently a pupil was sent here from a neighboring state normal school to get a special drill on a contest number.

The program for Friday afternoon was given in the following order: Musical Notes from Paris; Mollie Warren; Slumber Song; Steven Heller; Florence Kaufman; Mlle. Kikina of Paris (voice teacher); Jennie Parkinston; (a) Largo; (b) Lento; Clement; Ethel Breeze; Saint Saens on Rubenstein; Raff; Echo; Hester Winnie; Leonora Jackson (American Violinist); Gertrude Calhoun; Mandolin Solo—Norton; Chopin; Tomnodal of Mascanig; Golda Evans; Romance in F sharp major; Schumann; Buena McDaniell; Waltz in A minor; Chopin; Grace Chapman; Rose Leaf Moreau; Goerdeler; Hattie Rogers.

WICHITA COMMERCIAL COLLEGE. Mr. J. H. Weddemeyer of Oklahoma City made a pleasant call Monday on his way to Chicago. Mr. D. N. Harrington, of the shorthand department, has accepted a position with the McKnight Wholesale Hardware house of this city. Mr. D. C. Abernethy, of the commercial department, has accepted a position as bookkeeper for the Pond Company of Oklahoma City. Mr. M. J. Walters, a former student, is in the city for a short time. He has been filling a position with an insurance company at Colorado Springs for some time. Mr. Charles Tyrrell, of the commercial department, has accepted a position as accountant with a hardware company in Oklahoma. Two calls for bookkeepers and stenographers came Friday from two large firms in Oklahoma. Both applications were promptly answered by two of our graduates, who were able to meet all requirements.

WICHITA BUSINESS COLLEGE. Mr. C. L. Ritter is doing the stenographic work for Secretary Lockwood of the Street Fair association. Miss Flossie Campbell of the shorthand department has a nice position with the Van Zandt Implement company, as has also Miss Piper, a former graduate of the same department. Mr. C. L. Porter of the shorthand department has a position with the Crystal Ice company. Miss Maude Spencer and Mr. F. S. Goeldwine are back in school, each having been out of school some time on account of sickness.

Miss Ella Hill returned this week from a short visit to her home near Mayfield, and is doing good work in advanced reporting. The following are some of the new students at the Business college: Walter Allen, Miss Flossie Campbell, Anna Chase and Mable Vresland, city girls; E. Egan and Florence Abbott, Salina; Virginia Michaels, Fairmount.

Linking Evidence

Use of Circumstances in Locating a Criminal.

Joseph P. Daly, Ex-Justice of the Supreme Court, writes in the New York World as follows: There are two kinds of proof admitted in judicial proceedings—direct or positive, as where a witness to the fact in dispute testifies to it from his own knowledge; and circumstantial, where proof of collateral facts is admitted because they afford presumptions which tend to establish the fact in controversy. In criminal cases there may be no eye-witness of the crime, but there may be circumstances from which, if unexplained by the accused, the jury may infer his guilt.

But the jurors are instructed that the circumstances must be such as to produce a moral certainty of guilt and to exclude any other reasonable hypothesis. Circumstantial evidence is considered by some to be the most satisfactory species of proof because, by its nature it is capable of producing the highest degree of moral certainty. Legal writers give instances of convicting circumstances—as where there is homicide by a pistol shot, the wadding used in the charge being part of a letter addressed to the prisoner and found upon him, and where a man is suddenly dead in a room and another is found running out in haste with bloody sword, no other person being in the room. Instances of insufficient circumstantial evidence are given—as where one has threatened another with death and the latter shortly after is found dead by violence. Here is no proof, but only a conjecture; and again where the guardian of a wealthy minor is found to have risen from a condition of poverty to one of affluence, the evidence not excluding the inference that he might have been enriched by proper means.

Direct evidence—that is, the testimony of alleged eye-witnesses of a fact—is generally called the best evidence, but witnesses may be mistaken or may lie. On the other hand, circumstances cannot lie. The only danger in that kind of proof is that the minds which are called to consider it may not always be capable of drawing the proper inferences and determining whether or not the evidence is consistent with the hypothesis advanced. This delicate and important duty is entrusted to ordinary jurors, and sometimes grave errors have resulted. Of course, in many cases the plainest minds may draw the same conclusions as the wisest—as where in cases of larceny the stolen property is found upon the prisoner, or where a watch is found gone from the room on the departure of the prisoner, no other having access to the interior; or in a case of homicide where stains of blood, marks of conflict and deadly weapons recently used are found upon the prisoner; or where the prisoner, if an alien being at the scene of the crime when it was committed, ought to be able to prove that he was elsewhere, but does not do so. In all these cases the probability of error may justly be deemed excluded, but not with absolute certainty. But the law even where human life is involved, does not require absolute certainty.

Juries will sometimes convict upon a collection of trivial facts and sometimes acquit in the face of the most convincing proof. Warren, the author of "Ten Thousand a Year," gives the history of a trial for murder where the accused was last seen with the missing man at night armed and going to a wood; was found afterward with gold and bank notes, having been miserably poor before and his victim having received a large sum of money just before his disappearance; was found wearing some of the victim's clothing; gave contradictory accounts of which way the latter had gone after leaving him, and was proved to have said said to a party searching for the body, "He is far more likely to be found in Stokesley Beck." Eleven years afterward a skeleton identified by a mark as that of the missing man was discovered in Stokesley Beck. The prisoner was acquitted.

On the other hand, the instance of mistaken convictions are numerous and distressing. The same author cites Lord Coke as instancing a case of a gentleman accused of murdering his niece. She was heard to cry out, "Uncle, do not kill me!" and soon after disappeared. The uncle, being required to produce her and being unable to do so, procured another girl to personate her, but the fraud was detected and this lent such color to the other circumstances that he was convicted and executed. It was afterward found that the niece was living. And Sir Matthew Hale mentions a case in Staffordshire where a man was accused upon strong circumstances of having murdered a missing person and burned him to ashes in an oven. He was executed, and a year later the missing man returned. Warren also cites the case of Ambrose Graynet, who, upon circumstantial evidence which it is said rarely accorded conclusive and irrefragable, was executed, yet by extraordinary circumstances survived his supposed execution, escaped to foreign parts and there met the very person for whom he had been condemned to die. But the two latter cases occurred at a very early period, before the law required as the first proof of murder that the body of the victim be produced or accounted for. In the first case mentioned by Warren it was not until the discovery of the body, eleven years after the execution of crime, that the accused could be placed on trial. Sir Matthew Hale relates another instance of erroneous conviction upon the strongest kind of presumption. It was in the days when horse stealing was a capital punishment, and a man having been found in possession of a stolen horse was condemned and executed at Oxford Assizes. And yet within two Assizes afterward a man apprehended for another robbery and convicted confessed that he had stolen the horse and being hard pressed induced the former prisoner to walk the horse for him and escape; and his subsequent apprehension with the horse, died innocently.

A singular case illustrating the uncertainty of both positive and circumstantial evidence was that of the servant girl Elizabeth Cannin, imprisoned by the novelist Fielding to whom, as a police magistrate, the proofs in her case were submitted. She mysteriously disappeared from home for nearly a month, and then returned in rags, half naked and half dead with hunger, and told a tale of having been kidnapped in Moorfields and imprisoned in a house on the Hertfordshire road, whence she escaped by a window. She described the contents of her prison, and they tallied exactly with those in the house of a suspected person on the Hertfordshire road. She identified a gray woman there as a person who robbed her when she was brought to the house. The gray woman was put on trial and proved by three witnesses that she was at Abbotsbury, 150 miles away, on the day of the crime. One witness swore to the contrary. She and another woman, who kept the house, were convicted and sentenced—the gray woman to death.

Continued on Sixteenth Page.

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